CWP No. 397 of 2004

21.6.2006 **Present:** **Mr.Rajesh Saxena, Advocate, for the petitioner.**

Mr.Rajiv Sharma, Sr. Advocate, with Mr.Surinder Sharma, Advocate, for respondent No.1.

Mr.Kuldip Singh, Sr. Advocate, with Mr.Bimal Gupta, Advocate, for respondents No.2 to 4.

On this petition coming up for consideration, hearing and final disposal, in the light of the observations made in the Court order dated 7th June, 2006, Mr.Rajiv Sharma, learned senior counsel appearing for respondent No.1 has made a statement at the Bar that respondent No.1 is ready and willing to offer to the petitioner the appointment on the post of Junior Scale Stenographer in Vidhan Sabha Secretariat, either against an available vacancy, or against a vacancy to be created (if none is available at present). According to Mr. Sharma, the petitioner shall be offered the appointment before 31st July, 2006. The seniority of the petitioner, however, shall be reckoned from the date he joins on the post to be offered to him. In other words, the petitioner shall not claim any retrospective seniority on the post.

Mr.Rajesh Saxena, learned counsel appearing for the petitioner accepts the

aforesaid offer of respondent No.1 made through Mr. Rajiv Sharma and because of the aforesaid offer and its acceptance by him submits that this petition be disposed of as settled, without disturbing the appointments of respondents No.2 to 4 which were impugned by him in this petition.

Based upon the aforesaid statements of respondent No.1 and the petitioner this petition is disposed of as settled. It is directed that before 31st July, 2006 respondent No.1 shall offer to the petitioner the aforesaid appointment. The offer shall be conveyed to the petitioner personally as well as through a communication addressed to his counsel. The offer shall remain valid for a period of one month from the date it is received by the petitioner and his counsel. During this period of one month, it shall be open to the petitioner to join on the post. If, however, the petitioner does not join within this period, at its expiry the offer shall cease to be operative.

CMP No.825/2006

Allowed and disposed of.

21st June, 2006 (V.K.Gupta), C.J.
(C)